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July 10, 1996

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Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
Washington, DC 20554

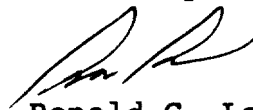
Re: Comments of the New Jersey Broadcasters Association in MM Docket No. 96-16. Streamlining Broadcast EEO Rule and Policies, Vacating the EEO Forfeiture Policy Statement and Amending Section 1.80 of the Commission's Rules to Include EEO Forfeiture Guidelines

Dear Mr. Caton:

Transmitted herewith on behalf of the New Jersey Broadcasters Association are an original and nine (9) copies of its Comments in the above-referenced matter. The underlying Comments contain the suggestions of the New Jersey Broadcasters Association regarding the Commission's EEO policies.

If there are any questions regarding this matter, please contact the undersigned directly.

Sincerely,



Ronald G. London

Enclosures

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

JUL 10 1996

Federal Communications Commission  
Office of Secretary

In the Matter of )  
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Streamlining Broadcast EEO ) MM Docket No. 96-16  
Rule and Policies, Vacating the )  
EEO Forfeiture Policy Statement )  
and Amending Section 1.80 of the )  
Commission's Rules to Include )  
EEO Forfeiture Guidelines )

TO: The Commission

**COMMENTS OF THE NEW JERSEY BROADCASTERS ASSOCIATION**

The New Jersey Broadcasters Association<sup>1/</sup> ("NJBA"), by its attorneys, pursuant to Notice of Proposed Rule Making, FCC 96-16, released February 16, 1996, hereby submits its comments in this proceeding.

There are two main amendments NJBA proposes to the Commission's ultimate EEO rule(s) and policies in this proceeding. First, as to any broadcaster with 20 or fewer employees, no documentation of compliance with the EEO Rules should be required. The current rule and FCC Form 396-A relieve broadcasters who employ fewer than 5 full-time persons from the burden of compiling and maintaining documentation as to its EEO efforts. This provision should be expanded to broadcasters who employ 20 or fewer persons, because

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<sup>1/</sup> The New Jersey Broadcasters Association is an association having as its members substantially all of the radio and television stations licensed to communities located in New Jersey.

such smaller broadcasters have limited financial, personnel and time resources available for recruiting.

To the extent that the Commission recognizes that the financial, personnel and time resources of smaller stations are limited, the logical assumption would be that, given the finite resources a station has to dedicate to employment concerns, the fewer employment resources a station is required to expend in keeping track of its EEO efforts, the more employment resources it can dedicate to actually engaging in attracting qualified employees. The limited resources smaller stations have to expend on EEO efforts would be better employed in fulfilling the Commission's EEO objectives, i.e., insuring that stations actually make efforts to provide real opportunities for all applicants, including women and minorities, than engaging in time-consuming, detailed paperwork and record-keeping attesting to those efforts.

Second, the Commission's Rules should permit a broadcaster to fulfill its EEO requirements via participation in a period state broadcasters association job fair. Such a rule would fulfill the objective of the Commission's efforts-based program to increase the pool of qualified female and minority candidates from which a licensee can select qualified applicants. Such joint recruitment efforts would also create economies of scale that would allow smaller broadcasters with finite resources to be expended on employment efforts to include more qualified females and minorities in their candidate pools.<sup>2/</sup> Furthermore, with only a relatively small commitment of resources by each of its member stations, a state

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<sup>2/</sup> It would also allow individual broadcasters to make better use of the Internet and other such global computer networks by collectively posting job opportunities in a forum that minority and female job candidate would find relatively inexpensive and easy to use.

broadcasters association can reach and involve more potential female and minority candidates in its member stations' recruitment efforts. Also, the burden on individual stations with more than 20 employees to keep records of the applicant flow would be greatly reduced if their state broadcasters associations could use pooled resources to keep those records.<sup>3/</sup>

NJBA has had considerable success with its job fair. In their last job fair, over one thousand applicants were interviewed by 37 stations at the NJBA Job Fair, which was held in Hammonton for the southern portion of the state, New Brunswick for the center portion, and in Newark for the northern portion, each location having been selected to be accessible by public transportation. These job fairs were heavily promoted by the NJBA through its member stations and in other media and, as noted above, were heavily attended. As a result, the ability of NJBA's member licensees to reach out to female and minority applicants was greatly enhanced.

The above two improvements in the Commission's EEO rules and policies would go a long way toward increasing the fruitfulness of the EEO efforts of smaller broadcasters. Given the particularly limited time, personnel and financial resources smaller broadcasters have to expend on employment efforts, proposals that provide a greater return to both broadcasters and female and minority applicants on those employment resources are clearly


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<sup>3/</sup> Minority and female recruitment efforts would also be bolstered by state broadcasters associations becoming the repository for information from its member stations regarding job applicants and job openings, because it would allow qualified minority and female applicants who ultimately do not receive a job from one broadcaster to be referred to another broadcaster seeking applications from the association.

in the public interest. The proposed rule and policy changes discussed above are clearly proposals of that kind and should be adopted in this proceeding.

Respectfully Submitted

**NEW JERSEY BROADCASTERS ASSOCIATION**

By:   
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